

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

DIARRA JERMAINE BODDY,

Movant,

v.

Civil Action No. 2:17-cv-02670  
(Criminal No. 2:14-00038)

UNITED STATES OF AMERICA,

Respondent.


MEMORANDUM OPINION AND ORDER

The court having received the Proposed Findings and Recommendation of United States Magistrate Judge Omar J. Aboulhosn, entered on April 6, 2020; and the Magistrate Judge having recommended that the court deny the movant's "Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside or Correct Sentence by a Person in Federal Custody," and thus dismiss the matter; and no objection having been filed to the Proposed Findings and Recommendation, and the defendant having failed to demonstrate that the Motion was filed within the proper time period or that circumstances exist that would permit equitable tolling of the limitations period, it is ORDERED that the findings made in the Proposed Findings and Recommendation of the Magistrate Judge be, and they hereby are, adopted by the court and incorporated herein.

It is, therefore, ORDERED that this case be, and it hereby is, dismissed.

The Clerk is directed to transmit copies of this memorandum opinion and order to the movant, all counsel of record, and the United States Magistrate Judge.

ENTER: May 4, 2020

  
John T. Copenhaver, Jr.  
Senior United States District Judge